

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re Patent Application of:  
Haruhisa Toyoda et al.

Application No.: 10/595,314

Confirmation No.: 7339

Filed: April 7, 2006

Art Unit: 1793

For: PROCESS FOR PRODUCING SOFT  
MAGNETISM MATERIAL, SOFT  
MAGNETISM MATERIAL AND POWDER  
MAGNETIC CORE

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Examiner: J. P. Sheehan

**RESPONSE TO RESTRICTION REQUIREMENT**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Restriction Requirement set forth in the Office Action mailed October 6, 2008 (Paper No. 20081001), Applicants hereby provisionally elect Group II, claims 10-14 for continued examination, **with traverse**.

**RESTRICTION REQUIREMENT**

The Examiner has required election of one of the following two groups:

Group I:        Claims 1-9, drawn to a method for making soft magnetic material comprising:

a first heat treatment step applying a temperature of at least 400 deg C and less than 900 deg C in hydrogen or inert gas to metal magnetic particles;

a step forming a plurality of compound magnetic particles in which an insulation film surrounds said metal magnetic particle; and

a step forming a shaped body by compacting said plurality of compound magnetic particles and the product produced by said method as recited in dependent claim 9.

Group II:        Claims 10-14 drawn to Claim 10 (Currently Amended):

a soft magnetic material comprising a plurality of metal magnetic particles:

wherein said metal magnetic particles have a coercivity of no more than  $2.9 \times 10^2$  A/m and said metal magnetic particles have a particle diameter distribution that is essentially solely in a range of at least 38 microns and less than 355 microns.

In response, Applicants elect Group II, claims 1-14 drawn to Claim 10 as amended.

The Examiner finds that restriction is proper because the invention identified with each claim group has a distinct special technical feature, and therefore together provide no single general inventive concept. Applicants, however submit that unity of invention may nevertheless exist if a first claim group is directed to a product and the second claim group is directed to a process specially adapted for the manufacture of the product, (see, e.g. MPEP § 1.475). Applicants submit

that the claims of Group II and the claims of Group I, respectively, satisfy this criterion, and together exhibit unity of invention.

**CONCLUSION**

In view of the above remarks, withdrawal of this Restriction Requirement is respectfully requested.

An early examination is respectfully requested.

Dated: October 24, 2008

Respectfully submitted,

By   
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